

7/20/01
U.S. PTO

Express Mail Label No. ET526090702US

07-05-01

A.

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
4244 P

Total Pages in this Submission
36

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

METHOD AND SYSTEM FOR SAMPLE AND RECREATION SYNCHRONIZATION FOR DIGITAL TRANSMISSION OF ANALOG MODEM SIGNALS

and invented by:

Hoobler

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Which is a:

Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 13 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Microfiche Appendix (*if applicable*)
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if drawings filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

100-0908295
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Application Elements (Continued)

3. Drawing(s) (*when necessary as prescribed by 35 USC 113*)
a. Formal b. Informal Number of Sheets 2
4. Oath or Declaration
 - a. Newly executed (*original or copy*) Unexecuted
 - b. Copy from a prior application (37 CFR 1.63(d)) (*for continuation/divisional application only*)
 - c. With Power of Attorney Without Power of Attorney
 - d. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. Incorporation By Reference (*usable if Box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. Computer Program in Microfiche
7. Genetic Sequence Submission (*if applicable, all must be included*)
 - a. Paper Copy
 - b. Computer Readable Copy
 - c. Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. Assignment Papers (*cover sheet & documents*)
9. 37 CFR 3.73(b) Statement (*when there is an assignee*)
10. English Translation Document (*if applicable*)
11. Information Disclosure Statement/PTO-1449 Copies of IDS Citations
12. Preliminary Amendment
13. Acknowledgment postcard
14. Certificate of Mailing
 First Class Express Mail (*Specify Label No.*): ET526090792US

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Accompanying Application Parts (Continued)

15. Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
16. Small Entity Statement(s) - Specify Number of Statements Submitted: 2
17. Additional Enclosures (*please identify below*):

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

**UTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)**

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Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	15	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	3	- 3 =	0	x \$40.00	\$0.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
				BASIC FEE	\$355.00
OTHER FEE (specify purpose)			Recordation of Assignment Fee		\$40.00
				TOTAL FILING FEE	\$395.00

- A check in the amount of \$395.00 to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. as described below. A duplicate copy of this sheet is enclosed.

 - Charge the amount of _____ as filing fee.
 - Credit any overpayment.
 - Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
 - Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: 2 July 2001



Yvonne L. Jones
Signature

CC:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Ryan Hoobler

ASSIGNEE: Phonex Broadband Corporation

SERIAL NUMBER: n/a

DATE FILED: n/a

TITLE: METHOD AND SYSTEM FOR SAMPLE AND RECREATION
SYNCHRONIZATION FOR DIGITAL TRANSMISSION OF
ANALOG MODEM SIGNAL

ATTORNEY DOCKET: 4244 P

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, DC 20231

CERTIFICATE OF MAILING

Honorable Assistant Commissioner:

I hereby certify that the attached paper of fee (Patent Application) is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," Express Mail Mailing Label Number ET52609079205, (under 37 C.F.R. § 1.10) on this 2nd day of July, 2001 with sufficient postage and in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231.



Signature of registered practitioner or other person
having a reasonable basis to expect mailing to occur
on the date of deposit shown pursuant to 37 C.F.R.
§ 1.8(a) or person actually making deposit pursuant
to 37 C.F.R. § 1.10(b).

Lloyd W. Sadler, Reg. No. 40,154

Name of person whose signature is given above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Ryan Hoobler

ASSIGNEE: Phonex Broadband Corporation

SERIAL NUMBER: n/a

DATE FILED: n/a

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ATTORNEY DOCKET: 4244 P

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, DC 20231

COVER LETTER

Honorable Assistant Commissioner:

Enclosed herewith please find the following documents comprising a United States patent application: (1) specification, claims and drawings, (2) fee calculation sheet, (3) fee, (4) declaration of inventor(s), (5) assignment with assignment cover sheet, (6) statements of small entity status, and (7) information disclosure statement and form(s) 1449.

Respectfully submitted this 2nd day of July, 2001.



Lloyd W. Sadler, Reg. No. 40,154
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39 Exchange Place, Suite 100
Salt Lake City, Utah 84111
Telephone: (801) 323-9399
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORS: Ryan Hoobler

ASSIGNEE: Phonex Broadband Corporation

SERIAL NUMBER: n/a

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Assistant Commissioner for Patents
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FEE CALCULATION SHEET

Honorable Assistant Commissioner:

The fee for the accompanying patent application is calculated as follows:

Basic Filing Fee (small entity)	\$355.00
Independent claims in excess of three	\$
(x 40.00 each)	
Claims in excess of twenty	\$
(x 9.00)	
<u>Recordation of Assignment</u>	\$ 40.00
<u>TOTAL</u>	\$395.00

A check for this amount is enclosed.

Respectfully submitted this 2nd day of July, 2001.



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